

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRINC, INC., a Michigan corporation,
and PIERRE J. AUGIER, a Michigan
resident,

Plaintiffs,

v.

Civil No.07-12488
Hon. John Feikens
Magistrate Judge Steven D. Pepe

RADIAL WHEEL, LLC, a Georgia
limited liability company, CLEMENT
O. DENNIS, a Georgia resident, and
STEPHEN R. GROSS, a Georgia resident,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

I have before me Magistrate Judge Steven D. Pepe's Report and Recommendation ("Report"). In his Report, Judge Pepe recommends that I grant summary judgment to Defendants Dennis and Gross with regard to Counts I, II, and III of Plaintiffs' Amended Complaint. Judge Pepe also recommends that I grant summary judgment to Defendant Radial Wheel on Counts II and III of Plaintiffs' Amended Complaint.. Neither party has filed objections to the Report. I find that Judge Pepe has thoroughly and correctly analyzed the issues and I agree with his recommendation. For these reasons, I ADOPT Judge Pepe's Report and GRANT Defendants' Motion for Partial Summary Judgment on Counts I, II, and III of Plaintiffs' Amended Complaint with respect to Defendants Gross and Dennis. Additionally, I GRANT Defendants' Motion for Partial Summary Judgment on Counts II and III of Plaintiffs' Amended Complaint with respect to Defendant Radial Wheel.

IT IS SO ORDERED.

Date: March 19, 2009

s/ John Feikens
John Feikens
United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on March 19, 2009 by U.S. first class mail or electronic means.

s/Carol Cohron
Case Manager